

**PENNSYLVANIA LIQUOR CONTROL BOARD**  
**MEETING MINUTES**

**WEDNESDAY, SEPTEMBER 14, 2016**  
**NORTHWEST OFFICE BUILDING, CONFERENCE ROOM 117, HARRISBURG, PA**

Tim Holden, Chairman  
Michael Negra, Board Member  
Michael Newsome, Board Member  
John Metzger, Executive Director  
Charlie Mooney, Chief Operating Officer  
John Stark, Board Secretary

[Office of Chief Counsel](#)  
[Bureau of Licensing](#)  
[Bureau of Human Resources](#)  
[Bureau of Accounting & Purchasing](#)

[Office of Retail Operations](#)  
[Bureau of Product Selection](#)  
[Financial Report](#)  
[Other Issues](#)

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**PUBLIC MEETING – 11:00 A.M**

Board Secretary John K. Stark indicated that a quorum of the Board was present and Chairman Holden called the meeting to order.

**CALL TO ORDER** ..... *Chairman Holden*

Pledge of Allegiance to the Flag

**OLD BUSINESS**..... *Secretary Stark*

A. Motion to approve the previous Board Meeting Minutes of the August 31, 2016 meeting.

**Motion Made:** Board Member Negra

**Seconded:** Board Member Newsome

**Board Decision:** Unanimously approved (3-0 vote) previous Board Minutes.

**PUBLIC COMMENT ON AGENDA ITEMS**

There was no comment on the printed agenda items.

**NEW BUSINESS**

*From the Office of Chief Counsel* ..... *Rodrigo Diaz, Chief Counsel*

(1) **BOROUGH OF BERWICK**  
Case No. 16-NE-13

Municipal Petition for Exemption  
from the Statute Regarding  
Amplified Sound

Note: Board Minutes are not officially approved until all required signatures are affixed.

**Motion Made:** Board Member Negra  
**Seconded:** Board Member Newsome

**Board Decision:** Unanimously agreed (3-0 vote) to Approve Noise Exemption for a Period Extending from September 14, 2016 to September 14, 2017.

- (2) **DORIAN V. HARISTON** Petition for Review in  
Appeal No. B-16-09-C-6615 Unemployment Compensation Claim

**Motion Made:** Board Member Negra  
**Seconded:** Board Member Newsome

**Board Decision:** Unanimously agreed (3-0 vote) – Do Not Petition for Review.

- (3) **DERRY STREET PUB, INC.** Request to Rescind Conditional  
2312 Derry Street Licensing Agreement  
Harrisburg, Pennsylvania 17104-2760  
Restaurant Liquor License No. R-12671  
LID 59887

**Motion Made:** Board Member Negra  
**Seconded:** Board Member Newsome

**Board Decision:** Unanimously agreed (3-0 vote) to Approve Request to Rescind Conditional Licensing Agreement.

*From the Bureau of Licensing ..... Jerry Waters, Director of Regulatory Affairs  
Tisha Albert, Director, Bureau of Licensing*

- (1) **1526 Race, Inc.** Request for Hearing –  
**t/a Rex Pizza** *Nunc Pro Tunc* – Validations,  
E-3054 (LID No. 58988) Case No. 16-9069 Renewals & Extension of  
1526 Race Street Safekeeping – Eating Place  
Philadelphia, Philadelphia County Malt Beverage

Board Member Negra asked Rod Diaz, Chief Counsel, to provide some brief background regarding this matter.

Mr. Diaz explained that the Applicant was late in filing its renewal applications and late in seeking an extension of the safekeeping period based on the requirements set forth in the Liquor Code. He noted that the Applicant was late by a matter of years, and not simply by a matter of weeks or days. Mr. Diaz further explained that applicants can sometimes seek *nunc pro tunc* relief from statutorily-imposed deadlines, but that they must meet certain conditions establishing

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that they have good cause for being late. He indicated that one potential way of establishing good cause is when there is a breakdown by a government agency, which is what the Applicant is arguing in this instance. However, Mr. Diaz stated that the difficulty in this case is that the Applicant waited more than half a year after realizing there was a problem before taking any action to try to resolve the same. Mr. Diaz added that if the Board denies the request, the Applicant would have an opportunity to file an appeal with the Philadelphia County Court of Common Pleas.

Board Member Negra indicated that he is sympathetic to the Applicant, but noted that he understands that there are certain rules that must be followed.

Board Member Newsome asked what would happen to the license in this instance if the request is denied.

Mr. Diaz responded by indicating that the license expired a number of years ago, and would simply remain dead.

**Motion Made:** Board Member Negra  
**Seconded:** Board Member Newsome

**Board Decision:** Unanimously agreed (3-0 vote) to Deny *Nunc Pro Tunc* Request.

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| <p>(2) <b>Giant Eagle, Inc.</b><br/>R-12344 (LID No. 81508)<br/>1737 Route 228<br/>Cranberry Township<br/>Cranberry Township, Butler County</p> | <p>Double Transfer &amp; Requests for Interior Connections with Another Business &amp; to Conduct Another Business on the Licensed Premises – Restaurant</p> |
|---|--|

**Motion Made:** Board Member Negra  
**Seconded:** Board Member Newsome

**Board Decision:** Unanimously agreed (3-0 vote) to Approve Transfer and Requests for Interior Connections with Another Business and to Conduct Another Business on the Licensed Premises.

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| <p>(3) <b>Giant Food Stores, LLC</b><br/>E-4961 (LID No. 81446)<br/>1824 Ridge Pike<br/>Upper Providence Township<br/>Royersford, Montgomery County</p> | <p>“Intermunicipal” Double Transfer &amp; Requests for Interior Connections with Another Business &amp; to Conduct Another Business on the Licensed Premises – Eating Place Malt Beverage</p> |
|---|---|

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**Motion Made:** Board Member Negra  
**Seconded:** Board Member Newsome

**Board Decision:** Unanimously agreed (3-0 vote) to Approve Transfer and Requests for Interior Connections with Another Business and to Conduct Another Business on the Licensed Premises.

- (4) **Plamondon Hospitality Partners, LLC** New & Request to Sell Other  
**t/a Fairfield Inn & Suites/Towneplace Suites by Marriott** Items on the Licensed Premises –  
(LID No. 80519) Hotel  
2915 Pleasant Valley Boulevard  
Altoona, Blair County

**Motion Made:** Board Member Negra  
**Seconded:** Board Member Newsome

**Board Decision:** Unanimously agreed (3-0 vote) to Approve New Hotel and Request to Sell Other Items on the Licensed Premises.

- (5) **Wawa, Inc.** “Intermunicipal” Double  
**t/a Wawa** Transfer & Request for Interior  
R-19720 (LID No. 72977) Connections with Another  
721 Naamans Creek Road Business – Restaurant  
Concord Township  
Chadds Ford, Delaware County

**Motion Made:** Board Member Negra  
**Seconded:** Board Member Newsome

**Board Decision:** Unanimously agreed (3-0 vote) to Approve Transfer and Request for Interior Connections with Another Business.

- (6) **Niel Enterprises, LLC** Renewal – District 2  
R-509 (LID No. 66833) Case No. 16-9041  
1701 Derry Street  
Harrisburg, Dauphin County

**Motion Made:** Board Member Negra  
**Seconded:**

**Board Decision:** Hold for Conditional Licensing Agreement Offer-in-Compromise Terms.

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(7) **Palermo's of Blue Bell, Inc.** Renewal – District 4  
**t/a Palermo's**  
R-9263 (LID No. 67651) Case No. 16-9053  
1016 DeKalb Pike  
Whitpain Township  
Blue Bell, Montgomery County

**Motion Made:** Board Member Negra  
**Seconded:** Board Member Newsome

**Board Decision:** Unanimously agreed (3-0 vote) to Approve Renewal.

(8) **Sabor Latino Restaurant, Inc.** Conditional Licensing Agreement  
R-4382 (LID No. 52506) Case No. 15-9188 Renewal – District 11  
33 Garrett Road  
Upper Darby Township  
Upper Darby, Delaware County **HOLD – 6/15/16 SESSION**

**Motion Made:** Board Member Negra  
**Seconded:** Board Member Newsome

**Board Decision:** Unanimously agreed (3-0 vote) to Approve Renewal with Conditional Licensing Agreement.

*From the Bureau of Human Resources ..... Jason Lutcavage, Director of Administration  
Jennifer Haas, Director, Bureau of Human Resources*

Personnel Actions

- (1) **Gregory Cooper – Removal**
- (2) **Karen Gunter – Affirm Removal**
- (3) **Tina Hairston – Removal**
- (4) **Ravern Hancel – Affirm Removal**
- (5) **James Mergile – Removal**
- (6) **Marquis Price – Affirm Removal**
- (7) **Darcelle Tyler – Removal**
- (8) **Dolisa Underwood – Affirm Removal**

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**(9) Steve Vasy – Affirm Removal**

**(10) Suzanne Zeltman – Removal**

**Motion Made:** Board Member Negra  
**Seconded:** Board Member Newsome

**Board Decision:** Unanimously agreed (3-0 vote) to Approve all Personnel Actions.

*From the Bureau of Accounting & Purchasing ..... John Stiles, Director of Finance  
Koppolu Ravindraraj, Director, Bureau of Accounting & Purchasing*

**(1) CRM/Loyalty Program Structure Consultant** – Provide assistance to the PLCB Marketing Team in their support of Act 39 by securing consulting services for a six (6) month period for the design and execution of a retail customer facing loyalty program. During this period, focus will be on delivery program structure, features/benefits, customer segmentation, tier structure, and operational models. Integration with current and planned business processes and technologies will also be critical.

Procured via Emergency Procurement – **VENDOR:** Deloitte Consulting LLP – **TERM:** Six (6) months – \$378,000.00 estimated cost.

Chairman Holden asked John Metzger, Executive Director, to explain this proposed action.

Mr. Metzger explained that Act 39 gives the PLCB the authority to implement a Customer Relations Management (“CRM”) program, which is something that is common in retail among all business types. He further explained that because of the short turnaround time in which the PLCB must develop and implement a plan for the CRM program, it is necessary to utilize consulting services that will provide experience and expertise relative to this initiative. Mr. Metzger indicated that the goal is to develop a CRM program that: (1) is best-in-class and drives sales based on promotions; and (2) provides real benefits to consumers.

**Motion Made:** Board Member Negra  
**Seconded:** Board Member Newsome

**Board Decision:** Unanimously agreed (3-0 vote) to Approve all Purchasing and Contracting Actions.

*From the Office of Retail Operations ..... Carl Jolly, Director of Retail Operations*

- 1. #5138 – 7204 Germantown Avenue, Philadelphia Amendment**
- 2. #1532 – 108 Willowbrook Lane, West Chester New Licensee Service Center**

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**Motion Made:** Board Member Negra  
**Seconded:** Board Member Newsome

Chairman Holden asked if there were any questions regarding these proposed actions, but no questions were raised.

**Board Decision:** Unanimously agreed (3-0 vote) to Approve all Retail Operations Actions.

*From the Bureau of Product Selection .....Dale Horst, Director of Marketing & Merchandising  
Joseph Puhalla, Director, Bureau of Product Selection*

**1. Regular New Items Accepted**

<u>BRAND NAME AND SIZE</u>	<u>REASON</u>
<u>Blue Ridge Distilling Co Inc</u> Defiant Whisky 750 ML	5
<u>The Wine Group Inc.</u> Franzia Cabernet Sauvignon 3 L	3
Franzia Chardonnay 3 L	3
Franzia Chillable Red 3 L	3
Franzia Crisp White 3 L	3
Franzia Dark Red 3 L	3
Franzia Merlot 3 L	3
Franzia Moscato 3 L	3
Franzia Pinot Grigio 3 L	3
Franzia Sunset Blush 3 L	3

RECOMMENDED ACTION: We recommend the Board approve this action

**2. Regular PA New Items Accepted**

<u>BRAND NAME AND SIZE</u>	<u>REASON</u>
<u>Social Still</u> Social Still Barrel Gin 750 ML	8

RECOMMENDED ACTION: We recommend the Board approve this action

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**New Items – Recommended Listings  
Reason Codes**

1. Strong marketing support
2. High brand recognition
3. Line/Size extension of successful brand
4. Trade up opportunity
5. Growing category
6. Growing segment
7. National rollout
8. Niche item / Limited distribution
9. High dollar profit potential
10. Trade out
11. High quality for the value
12. Innovative product/flavor
13. High sales through other PLCB channels (Luxury, Online, SLO)
14. Underrepresented category/segment
15. Hole in selection – consumer/store requests

### **3. Regular One Time Buys**

**BRAND NAME AND SIZE**

**Banfi Products Corporation**

Maschio Prosecco Brut Party Pack 187 ML

**Capital Wine and Spirits Inc**

Freixenet Ice Cuvee Especial 750 ML

**Diageo North America**

Ciroc Mango Vodka 750 ML

**Luxco Inc**

David Nicholson Reserve Kentucky Straight Bourbon Whiskey 750 ML

Rebel Yell 10 Year Single Barrel Kentucky Straight Bourbon Whiskey 750 ML

The Quiet Man Single Malt 8 Year Old Whiskey 750 ML

**Treasury Wine Estates Americas Company**

19 Crimes The Banished Red Wine 750 ML

Gabbiano Chianti DOCG 1.5 L

Gabbiano Pinot Grigio 750 ML

**The Wine Guy LLC**

Bellissima Prosecco DOC Brut 750 ML

Bellissima Sparkling Rose Wine 750 ML

Bellissima Zero Sugar Sparkling Wine 750 ML

**RECOMMENDED ACTION:** We recommend the Board approve this action

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#### **4. Regular Recommended Delist Retail Reductions January 2017**

<b><u>BRAND NAME AND SIZE</u></b>	<b><u>CODE</u></b>
<b><u>Bacardi USA Inc</u></b> Bacardi Big Apple Rum 750 ML	9774
<b><u>Constellation Wines US</u></b> HRM Rex Goliath Pink Moscato 500 ML	7496
<b><u>The Wine Group Inc</u></b> Concannon Petite Sirah 750 ML	4014

EFFECTIVE DATES: January 2, 2017 through April 2, 2017. The transference to closeout will become effective October 3, 2016.  
RECOMMENDED ACTION: We recommend the Board approve this action

#### **5. Regular Recommended Delist Retail Reductions April 2017**

<b><u>BRAND NAME AND SIZE</u></b>	<b><u>CODE</u></b>
<b><u>Bacardi USA Inc</u></b> Bacardi Big Apple Rum 750 ML	9774
<b><u>Constellation Wines US</u></b> HRM Rex Goliath Pink Moscato 500 ML	7496
<b><u>The Wine Group Inc</u></b> Concannon Petite Sirah 750 ML	4014

EFFECTIVE DATES: April 3, 2017 through June 25, 2017.  
RECOMMENDED ACTION: We recommend the Board approve this action

#### **6. Luxury One Time Buys**

<b><u>BRAND NAME AND SIZE</u></b>
<b><u>Capital Wine and Spirits</u></b> Alasia Brachetto d'Acqui 2015 750 ML Cardinale Cabernet Sauvignon Napa Valley 2013 750 ML Silver Oak Alexander Valley Cabernet Sauvignon 2012 750 ML Twomey Pinot Noir Russian River Valley 2014 750 ML Twomey Sauvignon Blanc Napa Valley 2015 750 ML

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**Diageo**

Singleton 15 Year Old Scotch 80 Proof 750 ML

**Fruit Of The Vines**

Chateau Beychevelle Saint Julien 2014 750 ML  
Chateau Cantemerle Haut Medoc 2014 750 ML  
Chateau Carbonnieux Blanc Pessac Leognan 2014 750 ML  
Chateau Carbonnieux Rouge 2014 750 ML  
Chateau Chasse Spleen Moulis en Medoc 2014 750 ML  
Chateau Clinet Pomerol 2014 750 ML  
Chateau d'Angludet Margaux 2014 750 ML  
Chateau Gazin Pomerol 2014 750 ML  
Chateau Gruaud Larose Saint Julien 2014 750 ML  
Chateau La Grange Saint Julien 2014 750 ML  
Chateau Lynch Bages Pauillac 2014 750 ML  
Chateau Olivier Blanc Pessac Leognan Rouge 2014 750 ML  
Chateau Olivier Rouge Pessac Leognan 2014 750 ML  
Chateau Pape Clement Rouge Pessac Leognan Rouge 2014 750 ML  
Chateau Phelan Segur Saint Estephe 2014 750 ML  
Chateau Poujeaux Moulis en Medoc 2014 750 ML  
Chateau Rauzan Segla Margaux 2014 750 ML

**Majestic Wine and Spirits**

Garrison Brothers Texas Straight Bourbon Whiskey 94 Proof 750 ML

**Southern Wine and Spirits**

Dopff & Irion Crustaces Alsace 2014 750 ML  
Quintessa Meritage Rutherford Napa Valley 2013 750 ML  
Reata Chardonnay Carneros Napa Valley 2014 750 ML  
Robert Mondavi Winery Chardonnay Reserve Napa Valley 2013 750 ML

**The Wine Merchant**

B-Side Napa Valley Red Blend 2014  
Quilceda Creek Cabernet Sauvignon Columbia Vallet 2013 750 ML

**USA Wine West**

Domaine du Vacheron Sancerre 2015 375 ML

**Vine Street Imports**

Kieran Robinson R5 Syrah Bennet Valley 2012 750 ML  
Kieran Robinson Stagecoach Viognier Napa Valley 2014 750 ML

**Winebow**

Di Majo Norante Sangiovese IGT 2015 750 ML  
Domaine Guy Roulot Meursault 1er Cru Perrieres 2014 750 ML  
Domaine Guy Roulot Meursault Les Tillets 2014 750 ML  
Domaine Guy Roulot Meursault Meix Chavaux 2014 750 ML

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Vitiano Rosso Umbria 2014 750 ML  
Rombauer Vineyards Cabernet Sauvignon Diamond Select 2014 750 ML  
Blackbird Vineyards Arise 2012 750 ML  
The Ghost of 413 Cabernet Sauvignon 2013  
Wine by Joe Pinot Gris 2015 750 ML

RECOMMENDED ACTION: We recommend the Board approve this action

## **7. Chairman's Selection Wines Recommended Approvals**

### **BRAND NAME AND SIZE**

#### **Capital Wine and Spirits**

Beringer Sonoma Coast Pinot Noir 2014 750 ML  
Carneros Hills Pinot Noir 2013 750 ML  
Chamisal Estate Chardonnay 2013 750 ML  
Charles Smith Wines of Substance Super Substance Sauvignon Blanc 2014 1.5 L  
Delille Cellars D2 Columbia Valley 2013 750 ML  
Sbragia Gamble Ranch Chardonnay 2013 750 ML  
Sbragia Godspeed Cabernet Sauvignon 2012 750 ML  
Soos Creek Stampede Pass Cabernet Franc 2012 750 ML

#### **Majestic Wine and Spirits**

Clos la Chance Reserve Cabernet Sauvignon 2013 750 ML  
Conway Family Pinot Noir 2013 750 ML  
Flora Springs Family Select Chardonnay 2014 750 ML  
Mazal Roble 2013 750 ML  
Tower 15 The Jetty 2012 750 ML

#### **Prospect Brands**

House of Cards Red Wine 2014 750 ML

#### **Southern Wine and Spirits of PA**

Kim Crawford Spitfire Sauvignon Blanc 2014 750 ML  
Mount Veeder Winery Cabernet Sauvignon 2013 750 ML  
Ruffino Modus 2013 750 ML  
Simi Landslide Vineyard Cabernet Sauvignon 2013 750 ML  
Simi Winery Pinot Noir 2014 750 ML  
The Hogue Cellars Reserve Columbia Valley Cabernet Sauvignon 2012 750 ML

RECOMMENDED ACTION: We recommend the Board approve this action

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**8. Chairman’s Selection Spirits Recommended Approvals**

**BRAND NAME AND SIZE**

**Sazerac**

EPIC Classic Vodka 80 Proof 1 L

RECOMMENDED ACTION: We recommend the Board approve this action

**9. E Commerce Exclusive Items**

**BRAND NAME AND SIZE**

**Diageo**

Singleton 18 Year Old Scotch 80 Proof 750 ML

**Heaven Hill Brands**

Parkers Heritage 24 Year Old Bottled in Bond Bourbon 100 Proof 750 ML

**Weygandt Metzler Importing**

FX Pichler Riesling Loibner Steinertal Smaragd 2013 750 ML

RECOMMENDED ACTION: We recommend the Board approve this action

**Motion Made:** Board Member Negra  
**Seconded:** Board Member Newsome

**Board Decision:** Unanimously agreed (3-0 vote) to Approve all Bureau of Product Selection / Marketing Actions.

**FINANCIAL REPORT** ..... *Michael J. Burns, Comptroller Operations, Office of Budget*

None

**OTHER ISSUES**

None

**CITIZEN COMMENT/BUSINESS FROM THE FLOOR**

None

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**NEXT BOARD MEETING**

**The next meeting of the PLCB will be a formal meeting on Wednesday, October 5, 2016 beginning at 11:00 A.M. Prior to the public meeting, there will be an Executive Session to discuss matters of personnel and to engage in non-deliberative informational discussions, some of which are regarding actions and matters which have been approved at previous public meetings.**

**ADJOURNMENT**

On a motion by Board Member Negra, seconded by Board Member Newsome, the meeting was adjourned.

The foregoing actions are hereby officially approved.

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

ATTEST:

\_\_\_\_\_  
Secretary